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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

July 2007 Grand Jury

UNITED STATES OF AMERICA, Plaintiff, v. FRANCISCO ZAPOT-PALACIOS (1), CARLOS RAMOS-GALDAMEZ (2), JOUANNI FRANCISCO PEREZ-TINOCO (3), Defendants.	Criminal Case No. **08CR1696-H** I N D I C T M E N T **(Superseding)** Title 8, U.S.C., Sec. 1324(a)(1)(A)(iii) - Harboring Illegal Aliens; Title 18, U.S.C., Sec., 1546(a) - Fraud and Misuse of Entry Document; Title 42, U.S.C., Sec. 408(a)(7)(B) - False Representation of a Social Security Number; Title 18, U.S.C., Sec. 1028(a)(7) and (b)(2)(B) - Identity Theft; Title 8, U.S.C., Secs. 1324(a)(1)(A)(iv) and (v)(II) - Inducing and Encouraging Illegal Aliens to Remain in the United States and Aiding and Abetting

The grand jury charges:

Count 1

On or about May 9, 2008, within the Southern District of California, defendant FRANCISCO ZAPOT-PALACIOS, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Valentin Gonzalez-Miranda, had come to, entered and remained in the

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United States in violation of law, did conceal, harbor and shield from detection and attempt to conceal, harbor and shield from detection such alien in a building located at 322 South 14th Street, Brawley, California; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii).

Count 2

On or about May 9, 2008, within the Southern District of California, defendant FRANCISCO ZAPOT-PALACIOS, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Emmanuel Sanchez-Rubio, had come to, entered and remained in the United States in violation of law, did conceal, harbor and shield from detection and attempt to conceal, harbor and shield from detection such alien in a building located at 322 South 14th Street, Brawley, California; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii).

Count 3

On or about May 9, 2008, within the Southern District of California, defendant FRANCISCO ZAPOT-PALACIOS, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Candido Munoz-Palacios, had come to, entered and remained in the United States in violation of law, did conceal, harbor and shield from detection and attempt to conceal, harbor and shield from detection such alien in a building located at 322 South 14th Street, Brawley, California; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii).

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Count 4

On or about March 9, 2008, within the Southern District of California, defendant FRANCISCO ZAPOT-PALACIOS, did possess documents prescribed by statute and regulation for entry into and as evidence of authorized stay and employment in the United States, namely, an I-551, Resident Alien Card, knowing it to be forged, counterfeited, or falsely made; in violation of Title 18, United States Code, Section 1546(a).

Count 5

On or about April 30, 2008, within the Southern District of California, defendant FRANCISCO ZAPOT-PALACIOS, for the improper purpose of employing undocumented aliens and other purposes, and with the intent to deceive, did falsely represent xxx-xx-2142 to be the social security number assigned by the Commissioner of the Social Security Administration to Emanuel Rubio, in that defendant listed the name Emanuel Rubio and social security number xxx-xx-2142 on a Boss 4 daily time record, when in truth and fact, such social security number was not assigned to Emanuel Rubio and belonged to another individual; in violation of Title 42, United States Code, Section 408(a)(7)(B).

Count 6

On or about April 30, 2008, within the Southern District of California, defendant FRANCISCO ZAPOT-PALACIOS, for the improper purpose of employing undocumented aliens and other purposes, and with the intent to deceive, did falsely represent xxx-xx-2037 to be the social security number assigned by the Commissioner of the Social Security Administration to Candido Munoz, in that defendant listed the name Candido Munoz and social security number xxx-xx-2037 on a Boss

4 daily time record, when in truth and fact, such social security number was not assigned to Candido Munoz and belonged to another individual; in violation of Title 42, United States Code, Section 408(a)(7)(B).

Count 7

On or about May 3, 2008, within the Southern District of California, defendant FRANCISCO ZAPOT-PALACIOS, for the improper purpose of employing undocumented aliens and other purposes, and with the intent to deceive, did falsely represent xxx-xx-2142 to be the social security number assigned by the Commissioner of the Social Security Administration to Emanuel Rubio, in that defendant listed the name Emanuel Rubio and social security number xxx-xx-2142 on a Boss 4 daily time record, when in truth and fact, such social security number was not assigned to Emanuel Rubio and belonged to another individual; in violation of Title 42, United States Code, Section 408(a)(7)(B).

Count 8

On or about May 3, 2008, within the Southern District of California, defendant FRANCISCO ZAPOT-PALACIOS, for the improper purpose of employing undocumented aliens and other purposes, and with the intent to deceive, did falsely represent xxx-xx-2037 to be the social security number assigned by the Commissioner of the Social Security Administration to Candido Munoz, in that defendant listed the name Candido Munoz and social security number xxx-xx-2037 on a Boss 4 daily time record, when in truth and fact, such social security number was not assigned to Candido Munoz and belonged to another individual; in violation of Title 42, United States Code, Section 408(a)(7)(B).

Count 9

On or about April 30, 2008, within the Southern District of California, defendant FRANCISCO ZAPOT-PALACIOS, did knowingly use in or affecting interstate commerce, without lawful authority, a means of identification of another person, to wit, social security number xxx-xx-2142, with the intent to commit, or to aid and abet, any unlawful activity that constitutes a violation of federal law, to wit, harboring undocumented aliens in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii), all in violation of Title 18, United States Code, Section 1028(a)(7) and (b)(2)(B).

Count 10

On or about April 30, 2008, within the Southern District of California, defendant FRANCISCO ZAPOT-PALACIOS, did knowingly use in or affecting interstate commerce, without lawful authority, a means of identification of another person, to wit, social security number xxx-xx-2037, with the intent to commit, or to aid and abet, any unlawful activity that constitutes a violation of federal law, to wit, harboring undocumented aliens in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii), all in violation of Title 18, United States Code, Section 1028(a)(7) and (b)(2)(B).

Count 11

On or about May 3, 2008, within the Southern District of California, defendant FRANCISCO ZAPOT-PALACIOS, did knowingly use in or affecting interstate commerce, without lawful authority, a means of identification of another person, to wit, social security number xxx-xx-2142, with the intent to commit, or to aid and abet, any unlawful activity that constitutes a violation of federal law, to

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wit, harboring undocumented aliens in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii), all in violation of Title 18, United States Code, Section 1028(a)(7) and (b)(2)(B).

Count 12

On or about May 3, 2008, within the Southern District of California, defendant FRANCISCO ZAPOT-PALACIOS, did knowingly use in or affecting interstate commerce, without lawful authority, a means of identification of another person, to wit, social security number xxx-xx-2037, with the intent to commit, or to aid and abet, any unlawful activity that constitutes a violation of federal law, to wit, harboring undocumented aliens in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii), all in violation of Title 18, United States Code, Section 1028(a)(7) and (b)(2)(B).

Count 13

Beginning on or about December 1, 2006, and continuing until May 9, 2008, within the Southern District of California, defendant CARLOS RAMOS-GALDAMEZ, with the intent to violate the immigration laws of the United States, did encourage and induce an alien, namely, Olga Rascon, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence in the United States is and will be in violation of law; in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iv) and (v)(II).

Count 14

On or about December 1, 2006, at Boss 4 Packing LLC, within the Southern District of California, defendant CARLOS RAMOS-GALDAMEZ, for the improper purpose of employing undocumented aliens, and with the intent to deceive, falsely did represent xxx-xx-5364 to be the social security number assigned by the Commissioner of the Social Security Administration to Olga Rascon, in that defendant submitted the name Olga Rascon and social security number xxx-xx-5364 on a Boss 4 daily time record for December 2, 2006, when in truth and fact, such social security number was not assigned to Olga Rascon and belonged to another individual; in violation of Title 42, United States Code, Section 408(a)(7)(B).

Count 15

On or about December 2, 2006, at Boss 4 Packing LLC, within the Southern District of California, defendant CARLOS RAMOS-GALDAMEZ, for the improper purpose of employing undocumented aliens, and with the intent to deceive, falsely did represent xxx-xx-1412 to be the social security number assigned by the Commissioner of the Social Security Administration to Cesar Zeta, in that defendant submitted the name Cesar Zeta and social security number xxx-xx-1412 on a Boss 4 daily time record for December 2, 2006, when in truth and fact, such social security number was not assigned to Cesar Zeta and belonged to another individual; in violation of Title 42, United States Code, Section 408(a)(7)(B).

Count 16

On or about December 2, 2006, at Boss 4 Packing LLC, within the Southern District of California, defendant CARLOS RAMOS-GALDAMEZ, for the improper purpose of employing undocumented aliens, and with the intent to deceive, falsely did represent xxx-xx-5364 to be the social security number assigned by the Commissioner of the Social Security Administration to Olga Rascon, in that defendant submitted the name Olga Rascon and social security number xxx-xx-5364 on a Boss 4 daily time record for December 2, 2006, when in truth and fact, such social security number was not assigned to Olga Rascon and belonged to another individual; in violation of Title 42, United States Code, Section 408(a)(7)(B).

Count 17

On or about December 1, 2006, within the Southern District of California, defendant CARLOS RAMOS-GALDAMEZ, did knowingly use in or affecting interstate commerce, without lawful authority, a means of identification of another person, to wit, social security number xxx-xx-5364, with the intent to commit, or to aid and abet, any unlawful activity that constitutes a violation of federal law, to wit, inducing or encouraging undocumented aliens to remain in the United States in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv) and (v)(ii), all in violation of Title 18, United States Code, Section 1028(a)(7) and (b)(2)(B).

Count 18

On or about December 2, 2006, within the Southern District of California, defendant CARLOS RAMOS-GALDAMEZ, did knowingly use in or affecting interstate commerce, without lawful authority, a means of identification of another person, to wit, social security number xxx-xx-5364, with the intent to commit, or to aid and abet, any unlawful activity that constitutes a violation of federal law, to wit, inducing or encouraging undocumented aliens to remain in the United States in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv) and (v)(II), all in violation of Title 18, United States Code, Section 1028(a)(7) and (b)(2)(B).

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Count 19

On or about December 2, 2006, within the Southern District of California, defendant CARLOS RAMOS-GALDAMEZ, did knowingly use in or affecting interstate commerce, without lawful authority, a means of identification of another person, to wit, social security number xxx-xx-1412, with the intent to commit, or to aid and abet, any unlawful activity that constitutes a violation of federal law, to wit, inducing or encouraging undocumented aliens to remain in the United States in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv) and (v)(ii), all in violation of Title 18, United States Code, Section 1028(a)(7) and (b)(2)(B).

Count 20

On or about March 6, 2008, within the Southern District of California, in submitting daily time records in the name of Noe Lozano with social security number xxx-xx-3396 for work that was actually performed by Jose Luis Martinez-Cabrera, defendant JOUANNI FRANCISCO PEREZ-TINOCO, for the improper purpose of concealing the practice of employing undocumented aliens and other purposes, and with the intent to deceive, did falsely represent that work had been done by Noe Lozano with social security number xxx-xx-3396, when in truth and fact, the work was performed by Jose Luis Martinez-Cabrera, an undocumented alien without a social security number; in violation of Title 42, United States Code, Section 408(a)(7)(B).

Count 21

On or about April 24, 2008, within the Southern District of California, in submitting daily time records in the name of Martha Mendoza with social security number xxx-xx-3981 for work that was actually performed by Jose Luis Martinez-Cabrera, defendant JOUANNI

FRANCISCO PEREZ-TINOCO, for the improper purpose of concealing the practice of employing undocumented aliens and other purposes, and with the intent to deceive, did falsely represent that work had been done by Martha Mendoza with social security number xxx-xx-3981, when in truth and fact, the work was performed by Jose Luis Martinez-Cabrera, an undocumented alien without a social security number; in violation of Title 42, United States Code, Section 408(a)(7)(B).

Count 22

On or about April 30, 2008, within the Southern District of California, in submitting daily time records in the name of Rebekah Lara with social security number xxx-xx-2123 for work that was actually performed by Eriberto Martinez-Cabrera, defendant JOUANNI FRANCISCO PEREZ-TINOCO, for the improper purpose of concealing the practice of employing undocumented aliens and other purposes, and with the intent to deceive, did falsely represent that work had been done by Jose Delgado with social security number xxx-xx-4831, when in truth and fact, the work was performed by Jose Luis Martinez-Cabrera, an undocumented alien without a social security number; in violation of Title 42, United States Code, Section 408(a)(7)(B).

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Count 23

On or about May 1, 2008, within the Southern District of California, in submitting daily time records in the name of Martina Meza with social security number xxx-xx-9773 for work that was actually performed by Jose Luis Martinez-Cabrera, defendant JOUANNI FRANCISCO PEREZ-TINOCO, for the improper purpose of concealing the practice of employing undocumented aliens and other purposes, and with the intent to deceive, did falsely represent that work had been done by Martina Meza with social security number xxx-xx-9773, when in truth and fact, the work was performed by Jose Luis Martinez-Cabrera, an undocumented alien without a social security number; in violation of Title 42, United States Code, Section 408(a)(7)(B).

DATED: June 13, 2008.

A TRUE BILL:

Foreperson

KAREN P. HEWITT
United States Attorney

By:
A. DALE BLANKENSHIP
Assistant U.S. Attorney